



CCPE(2025)1

Strasbourg, 6 March 2025

CONSULTATIVE COUNCIL OF EUROPEAN PROSECUTORS (CCPE)

Questionnaire for the preparation of the Opinion No. 20 (2025) on diversity and inclusivity within prosecution services

Introduction

Diversity¹ and inclusivity² within prosecution services could have an important added value for delivering fair and impartial justice. The need for diversity follows from both the complex fabric of today's societies and the benefits from reflecting this situation in the

¹ There are many meanings attributed to the term “diversity”. For example, according to the Oxford English Dictionary, “diversity” is defined as “the practice or quality of including or involving people from a range of different social and ethnic backgrounds and of different genders, sexual orientations, etc.”, Oxford University Press (2021), Oxford English Dictionary, <https://www.oed.com>. The Cambridge Dictionary speaks of “many different types of things or people being included in something” <https://dictionary.cambridge.org/dictionary/english/diversity>. For the purposes of the present questionnaire, it is suggested to consider diversity in the widest possible sense, including but not limited to differences concerning race, religion, ethnicity, gender, sexual orientation, membership in various social groups, political beliefs, ethical values, age, physical abilities, or other possible human differences.

² The Cambridge Dictionary refers to the inclusivity as “the fact of including all types of people, things or ideas and treating them all fairly and equally” <https://dictionary.cambridge.org/dictionary/english/inclusivity>. Thus, it means representation of all members, groups and segments of the society, based on their diversity, and avoiding excluding any of them.

composition of prosecution services, as any public entity, in order not to operate in a vacuum or appear out of touch. A variety of backgrounds, experiences and perspectives among prosecutors could be beneficial to the decision-making process and could also have the potential of increasing public confidence in justice. Inclusivity is a process whereby diversity is actively sought and achieved, for instance, everyone is given fair career opportunities based on merit alone, while being respectful of their background/gender.

Thus, diverse, and inclusive prosecution services could contribute to producing better justice in several ways.

First, there is an internal perspective to diversity and inclusivity. Having prosecutors with a variety of backgrounds can be beneficial to the quality of interactions and discussions among colleagues, as well as on a more general basis to prosecutorial thinking. This could have practical effect for better prosecutorial decision making, in line with the fundamental principles of human rights, the rule of law and democracy, and to avoiding any risks of group think. In this regard, the principle of non-discrimination,³ is also intrinsically linked to the notions of diversity and inclusivity. Any discrimination would hamper achieving diversity and inclusivity, having a bearing particularly on access to prosecution services and to distinct roles within the prosecution services.

In addition, there is an external perspective in that diversity and inclusivity among prosecutors could contribute to strengthening the prosecutorial system in better reflecting, from within, the different strata of society. The values, perspectives and experiences of participants in the proceedings often vary to a significant degree from those of prosecutors. More diversity and inclusivity among prosecutors could contribute usefully to the appraisal of situations and circumstances involving parties with diverse backgrounds. In this way, decisions could benefit from prosecutorial diversity, and this will help make prosecution services more attuned to the existing differences between various sections of society, including vulnerable groups. Overall, this could have a positive impact on prosecution services by reflecting more closely on the diversity present in today's societies, while reducing a perceived gap between prosecutors and participants in the proceedings from different sections of society.

The above demonstrates the benefits of increasing diversity and inclusivity in prosecution services as a way of, on the one hand, reaching more informed and fair decisions, while on the other, inspiring trust from all sections of society.

The CCPE thanks you for your kind co-operation in answering the following questions.

I. Legislative and regulatory level

1. Do the notions of diversity and inclusivity established in law or regulations in your country apply to all sectors, including to the prosecution service?
2. If so, how are these concepts defined?

³ As enshrined in Article 14 of the European Convention on Human Rights (ECHR).

3. Are they based on the principle of non-discrimination, what grounds are covered (e.g. gender, ethnic or social origin or other grounds)? If not, is the principle of non-discrimination enshrined in law? What grounds are covered? Is the principle addressed in your prosecution service?
4. Are there any references in the legislation and regulations of your country to diversity and inclusivity or to the principle of non-discrimination in connection specifically with the composition of the prosecution service? If so, what form does this reference take (legislation, regulation, other)?
5. If so, could you please briefly describe what measures are set out in law or regulations to promote diversity and inclusivity among prosecutors, or to prevent any discrimination in the composition of the prosecution service. Do those measures cover:
 - careers in the prosecution service (e.g. eligibility requirements for being candidates for prosecutorial posts; criteria for promotion);
 - representation of different underrepresented groups, minorities, and segments of the society;
 - which levels of the prosecution service are concerned (highest office, regional and district offices, specialised prosecution offices);
 - any other measures.

II. Policy level

6. Are the concepts of diversity and inclusivity used in your country in policies applying to all sectors, including the prosecution service (e.g. in various policy documents, plans or programmes of action, guidelines, etc.)?
7. If so, how are these concepts defined? Are they based on the principle of non-discrimination, and what grounds are covered (e.g. gender, ethnic and social origin, or other grounds)? If not, do general policies applying across the board integrate expressly the principle of non-discrimination, and on which grounds do these encompass the prosecution service?
8. Is there a policy in your country regarding specifically diversity and inclusivity among prosecutors? Also with a focus on the principle of non-discrimination, if so, does it apply to all or specific prosecution offices?
9. If so, what is the status of this policy and by whom was it adopted? What form does this policy take (e.g. in various policy documents, plans or programmes of action, guidelines etc.)?
10. What kind of measures does this policy entail? Could you please briefly describe the measures concerned and what they cover:
 - regarding careers in the prosecution service (e.g. measures to attract candidates from underrepresented sections of the society; eligibility

requirements for being candidates for prosecutorial posts or criteria for promotion);

- concerning representation of which groups, minorities, and segments of the society;
- which levels of the prosecution service are concerned (highest office, regional and district offices, specialised prosecution offices);
- any other measures.

III. Practical level

11. Have practices emerged in the prosecution service for attracting and recruiting candidates coming from underrepresented sections of society (e.g. gender, ethnic origin, social origin, or other grounds)? If so, what form does this practice take and does it concern the prosecutorial system in general or specific prosecution offices?
12. Are diversity and inclusivity taken into account in the process of selection, recruitment, and promotion of prosecutors? If so, in which form and concerning all prosecution offices in your country?
13. Are there any other measures developed by practice to promote diversity and inclusivity in the composition of prosecution offices? If so, what are these measures and do they concern all prosecution offices?

IV. Evolution, challenges and suggestions

14. Please indicate, if available, statistics on the composition of the prosecution service by gender and by the diversity of backgrounds, from junior to senior roles, in the prosecutorial system in general, in addition to specific prosecution offices.
15. Have there been any developments in your country for promoting diversity and inclusivity among prosecutors? If so, what steps have been taken?
16. If you can briefly compare the current and past situations in this respect (e.g. between now and ten years ago), what are the indicators (e.g. laws, regulations, policy documents adopted/applied, composition of prosecution offices diversified, etc.)?
17. Have there been any challenges in or barriers to this process? If so, what has been done to overcome those challenges/barriers and/or can you suggest how to overcome those challenges/barriers?
18. Could you please provide examples of prosecution offices - from any level - with a diverse, inclusive and representative composition, together with the details of the measures that were taken to achieve it?
19. What further steps could you suggest for moving towards more diversified and inclusive prosecution service?